

Attorney Docket No. 64913.010100

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT:** Humpert, Richard et al.

**SERIAL NO.:** 09/890,203

**FILING DATE:** 10/05/2001

**TITLE:** SUPPORT SYSTEM FOR A FUNCTIONAL UNIT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE**  
EV 570 903 641 US

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Date of Deposit:

I hereby state that the following *attached* papers or fees

- 1) Request to Withdrawal the Holding of Abandonment Under 37 C.F.R. 1.181, including copy of Notice of Abandonment (exhibit A), copy of RCE and Petition of Time and Amendment (exhibit B), and a copy of the return receipt postcard (Exhibit C)
- 2) Transmittal Letter
- 3) postcard receipt

are being deposited with sufficient postage with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Amy McFall

Signature



02-24-05

DACJW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/890,203

Filing Date

October 5, 2001

First Named Inventor

Humpert, R. et al.

Art Unit

3677

Examiner Name

Saether, Flemming

Attorney Docket Number

64913.010100

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Request to Withdrawal the Holding of Abandonment Under 37 CFR 1.181 including exhibits A, B and C, return receipt postcard/
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Exhibit A - Copy of Notice of Abandonment	
	Exhibit B - Copy of RCE and Petition of Time and Amendment filed on January 19, 2005	
	Exhibit C - Copy of return receipt postcard with USPTO stamp dated January 19, 2005	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Greenberg Traurig LLP		
Signature			
Printed name	Eugene C. Rzuwido		
Date	February 22, 2005	Reg. No.	31,900

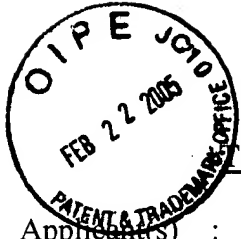
**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Attorney Docket No. 64913-010100

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Richard Humpert, et al.

Serial No. : 09/890,203

Filing Date : October 5, 2001

Group Art Unit: 3677

Examiner : Flemming Saether

For: SUPPORT SYSTEM FOR A FUNCTIONAL UNIT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1453

**REQUEST TO WITHDRAW THE HOLDING OF ABANDONMENT  
UNDER 37 CFR 1.181**

Sir:

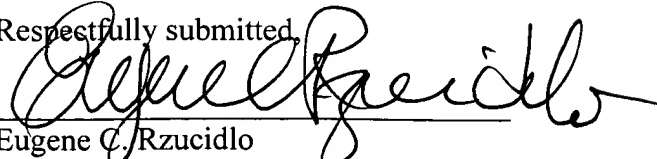
A Notice of Abandonment was mailed on January 26, 2005 for the above-referenced application attached as Exhibit A. On January 19, 2005, the Applicants through its Attorney of Record filed an RCE, along with Petition for Extension of Time and Amendment by express mail. All relevant papers are attached as Exhibit B. The papers filed were received at the USPTO on January 19, 2005 as marked on the return receipt postcard attached as Exhibit C.

Based on the attached Exhibits, Applicants request that the Notice of Abandonment be dismissed and the application be examined based on the currently filed RCE.

The Commissioner is hereby authorized to charge Deposit Account No. 50-1561 any fees required for the filing of this Request.

Favorable action is respectfully requested.

Respectfully submitted,

  
Eugene C. Rzucidlo  
Attorney for Applicant  
Reg. No. 31,900  
Customer No. 32361

Dated: 02/22/05



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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Alexandria, Virginia 22313-1450  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,203	10/05/2001	Richard Humpert	60174-021	8894

7590 01/26/2005

Raymond E Scott  
Howard & Howard  
Pinhurst Office Center Suite 101  
39400 Woodward Avenue  
Bloomfield Hills, MI 48304-5151

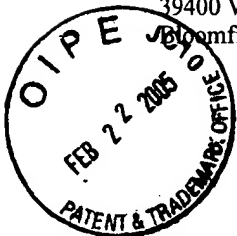
EXAMINER

SAETHER, FLEMMING

ART UNIT PAPER NUMBER

3677

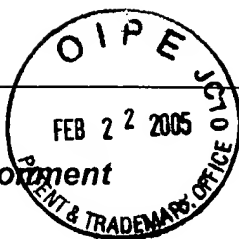
DATE MAILED: 01/26/2005



Please find below and/or attached an Office communication concerning this application or proceeding.



**Notice of Abandonment**



Application No.

09/890,203

Examiner

Flemming Saether

Applicant(s)

HUMPERT ET AL.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

Applicant failed to follow-up the Notice of Appeal filed 21 May 2004.

Flemming Saether  
Primary Examiner  
Art Unit: 3677

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



Attorney Docket No. 64913.010100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**APPLICANT:** Humpert, R. et al.

**SERIAL NO.:** 09/890,203

**FILING DATE:** 10/05/2001

**TITLE:** SUPPORT SYSTEM FOR FUNCTIONAL UNIT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE**

EV 570 903 672 US

Express Mail label number:

01/19/2005

Date of Deposit:

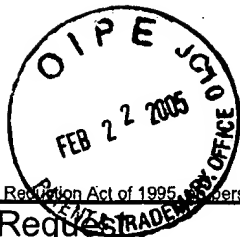
I hereby state that the following *attached* papers or fees

- 1) Request for Continued Examination (RCE) Form
- 2) Transmittal Form
- 3) Amendment
- 4) Request for Extension of Time
- 5) postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Amy McFall

Signature



PTO/SB/30 (09-04)

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**Request**  
for  
**Continued Examination (RCE)  
Transmittal**Address to:  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/890,203
Filing Date	October 5, 2001
First Named Inventor	Humpert, R. et al.
Art Unit	3679
Examiner Name	Saether, F.
Attorney Docket Number	64913.010100

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1561. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	January 19, 2005
Name (Print/Type)	Eugene C. Rucicilo	Registration No.	31,900

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	_____
Name (Print/Type)	_____
Date	_____

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

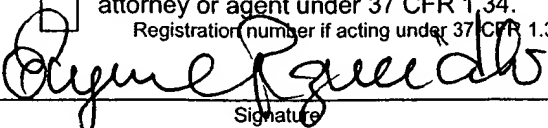
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/22 (12-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2005</b> (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional)  64913.010100																									
Application Number 09/890,203		Filed 10/05/2001																									
For SUPPORT SYSTEM FOR FUNCTIONAL UNIT																											
Art Unit 3679		Examiner Seather, F.																									
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):</p> <table><thead><tr><th></th><th>Fee</th><th>Small Entity Fee</th><th></th></tr></thead><tbody><tr><td><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td><td>\$120</td><td>\$60</td><td>\$ _____</td></tr><tr><td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td><td>\$450</td><td>\$225</td><td>\$ _____</td></tr><tr><td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td><td>\$1020</td><td>\$510</td><td>\$ _____</td></tr><tr><td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td><td>\$1590</td><td>\$795</td><td>\$ _____</td></tr><tr><td><input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td><td>\$2160</td><td>\$1080</td><td>\$ 1,080.00</td></tr></tbody></table> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-1561. I have enclosed a duplicate copy of this sheet.</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <p>I am the <input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration Number 31,900</p> <p><input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p> <p> _____ Signature</p> <p>Eugene C. Rzucidlo _____ Typed or printed name</p> <p>January 9, 2005 _____ Date</p> <p>212-801-2146 _____ Telephone Number</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p><input type="checkbox"/> Total of _____ forms are submitted.</p>					Fee	Small Entity Fee		<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____	<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ 1,080.00
	Fee	Small Entity Fee																									
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____																								
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____																								
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<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ 1,080.00																								

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PTO/SB/21 (09-04)

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**TRANSMITTAL  
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(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 09/890,203

Filing Date October 5, 2001

First Named Inventor Humpert, R. et al.

Art Unit 3679

Examiner Name Seather, F.

Attorney Docket Number 64913.010100

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): RCE Transmittal form
<input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<b>Remarks</b>	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Greenberg Traurig LLP		
Signature			
Printed name	Eugene C. Rzuwido		
Date	January 19, 2005	Reg. No.	31,900

**CERTIFICATE OF TRANSMISSION/MAILING**

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Signature			
Typed or printed name		Date	

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PTO/SB/17 (12-04v2)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective 12/20/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,475

**Complete if Known**

Application Number	09/890,2203
Filing Date	October 5, 2001
First Named Inventor	Humpert, R. et al.
Examiner Name	Seather, F.
Art Unit	3679
Attorney Docket No.	64913.010100

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 50-1561 Deposit Account Name: Greenberg Traurig LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	\$0
Design	200	100	100	50	130	65	\$0
Plant	200	100	300	150	160	80	\$0
Reissue	300	150	500	250	600	300	\$0
Provisional	200	100	0	0	0	0	\$0

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200	100
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Multiple dependent claims

360	180
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Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	0	\$0	\$0

HP = highest number of total claims paid for, if greater than 20.

Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
	\$0	\$0

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	0	\$0	\$0

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
0	0	0.0	\$125	\$0

0 - 100 = 0 / 50 = 0.0 (round up to a whole number) x \$125 = \$0

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): RCE filing fee and Extension of time

\$1,475

**SUBMITTED BY**

Signature		Registration No. 31,900 (Attorney/Agent)	Telephone 212-801-2146
Name (Print/Type)	Eugene C. Rzuclido	Date	January 19, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**IN RE APPLICATION OF:**  
HUMPERT, et al.

**GROUP ART UNIT:** 3679

**SERIAL NO.:** 09/890,203

**EXAMINER:** Flemming Saether

**FILED:** October 5, 2001

**ATTORNEY DOCKET NO.:**  
64913.010100

**FOR: SUPPORT SYSTEM FOR FUNCTIONAL UNIT**

**RESPONSE UNDER 37 C.F.R. 1.111**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the United States Patent and Trademark Office Official Action mailed on December 23, 2003, please amend the above-identified application as follows:

**Amendment**

**Amendments to the Specification** are reflected on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begins on page 10 of this paper.

Amendments to the Specification:

Please amend the title of this application to the following:

~~Support System for Functional Unit~~ Function Carrier for a Metal or Plastic Plate

Component

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the present application:

Listing of Claims:

1. (Currently Amended): A function carrier insertable from one side into a metal or plastic plate component said function carrier comprising a ~~functional element~~ having shaft and head parts and a rivet sleeve,

~~characterised in that~~ wherein

the rivet sleeve is movable in the axial direction of the shaft part along the shaft part and in that the ~~functional element~~ function carrier has a rounded concave fillet in the transition region between the shaft part and the head part forming a sliding surface for the deformation of the rivet sleeve into contact with a wall of a hole in the metal or plastic plate component.

2. (Currently Amended): Function carrier in accordance with claim 1,

~~characterised in that~~ wherein

the rivet sleeve has a tubular deformable region adjacent the head part and a ~~ring-like ring~~, at least substantially non-deformable region remote from the head part.

3. (Currently Amended): Function carrier in accordance with claim 1,

~~characterised in that~~ wherein

the rivet sleeve has a tubular deformable region adjacent the head part and a ~~ring-like ring~~ deformable region remote from the head part.

4. (Currently Amended): Function carrier in accordance with claim 1,

~~characterised in that~~ wherein

the end face of the rivet sleeve remote from the head part is arranged perpendicular to the longitudinal axis of the shaft part.

5. (Currently Amended): Function carrier in accordance with claim 4,

~~characterised in that~~ wherein

the said end face of the rivet sleeve is formed as a sliding surface.

6. (Currently Amended): Function carrier in accordance with claim 4,

~~characterised in that~~ wherein

the said end face of the rivet sleeve is formed for the transmission of rivet forces acting in the axial direction, but is not itself deformable or is at least substantially not deformable under the riveting forces.

7. (Currently Amended): Function carrier in accordance with claim 4,  
~~characterised in that~~ wherein

the said end face is designed to take up torques which turn the rivet sleeve and bring about the deformation of the rivet sleeve.

8. (Currently Amended): Function carrier in accordance with claim 7,  
~~characterised in that~~ wherein

the shaft part ~~of the functional element~~ has an outer thread, at least in the region adjacent to the concave fillet and in that the rivet sleeve has an internal thread corresponding thereto.

9. (Currently Amended): Function carrier in accordance with claim 1,  
~~characterised in that~~ wherein

the shaft part ~~of the functional element~~ has a means for the transmission of torques at the end remote from the head part.

10. (Currently Amended): Function carrier in accordance with claim 9,  
~~characterised in that~~ wherein

the means is a spigot having one or more side faces or longitudinal grooves.

11. (Currently Amended): Function carrier in accordance with claim 9,  
~~characterised in that~~ wherein

the means has the form of a tool or wrench-receiving recess formed in the free end of the shaft part, for example in the form of an internal hexagon.

12. (Currently Amended): Function carrier in accordance with claim 1,  
~~characterised in that~~ wherein

the shaft part ~~of the functional element~~ has a ring groove in the region directly ahead of the concave fillet, and in that ~~ring-like~~ a ring region of the rivet sleeve can be deformed into this ring groove.

13. (Currently Amended): Function carrier in accordance with claim 1,  
~~characterised in that~~ wherein

the concave fillet is provided with features (24:100) providing security against rotation, for example with a plurality of recesses and/or noses distributed in the peripheral direction, and in that the rivet sleeve can be brought by the deformation into a form-fitted connection with these features (24; 100) providing security against rotation.

14. (Currently Amended): Function carrier in accordance with claim 1,  
~~characterised in that~~ wherein

the end face of the head part remote from the shaft part is equipped with features providing security against rotation, ~~for example noses providing security against rotation and/or recesses.~~

15. (Currently Amended): Function carrier in accordance with claim 3,  
~~characterised in that~~ wherein

the ~~ring-like~~ ring region of the rivet sleeve has, when considered in a radial section, at least substantially the shape of a right-angled triangle, the outer side of which is arranged obliquely to the end face of the rivet sleeve remote from the head part and to the inner face of the rivet sleeve adjacent the shaft part.

16. (Currently Amended): Function carrier in accordance with claim 1,  
~~characterised in that~~ wherein

the tubular region of the rivet sleeve has an inner wall which represents an axial continuation of the inner surface of the ~~ring-like-ring~~ ring region of the rivet sleeve.

17. (Currently Amended): Function carrier in accordance with claim 1,  
~~characterised in that~~ wherein

the tubular region of the rivet sleeve is at least substantially rectangular when considered in radial section, with the tubular region having an inner wall, which represents an axial continuation of the inner surface of the ~~ring-like-ring~~ ring region of the rivet sleeve and in that the ~~ring-like-ring~~ ring region of the rivet sleeve forms a ring shoulder at its outer side with the adjacent side of the ~~ring-like-ring~~ ring region.

18. (Currently Amended): Function carrier in accordance with claim 1,  
~~characterised in that~~ wherein

the ~~functional element~~ function carrier is formed as a bolt element.

19. (Currently Amended): Function carrier in accordance with claim 1,  
~~characterised in that~~ wherein

the ~~functional element~~ function carrier is formed as a nut element, i.e. at least the shaft part is made hollow and this and/or the head part is formed with an internal thread or can be provided with an internal thread.

20. (Currently Amended): Component assembly in accordance with claim 1, ~~characterised in that~~ wherein

the hole of the metal or plastic plate ~~the plate-like component has a hole~~, the diameter of which corresponds at least substantially to that of the head part and in that the deformed, tubular region of the rivet sleeve, at the inner side, contacts the concave fillet in at least substantially flush manner, projects radially outwardly beyond the edge of the head part of the ~~functional element~~ function carrier and forms a ring groove with the ~~ring-like~~ ring region which accommodates the marginal region of the hole of the component.

21. (Currently Amended): Component assembly comprising a metal or plastic plate component, ~~for example a sheet metal part or a plastic part~~ and a function carrier in accordance with one or more of the preceding claims, ~~characterised in that~~ wherein

the component has a ~~pot-like~~ pot recess, the diameter of which corresponds at least substantially to that of the head part and the base of which is contacted by the end face of the head part remote from the shaft part in a manner secured against rotation and in that the deformed tubular region of the rivet sleeve at least substantially flushly contacts the concave fillet at the inner side, projects radially outwardly over the edge of the head part of the ~~functional element~~ function carrier and projects into the side wall of the ~~pot-like~~ pot recess of the component and is received there in a form-fitted manner.

22. (Currently Amended): Component assembly in accordance with claim 21, ~~characterised in that~~ wherein

the end face of the rivet sleeve remote from the head part is either arranged flush with the surface of the component remote from the head part or sunk into this surface, with the ~~ring-like~~ ring region of the rivet sleeve optionally projecting into a possibly present groove of the shaft part and optionally having, in the region of this groove, a conical alignment aid arranged concentric to the shaft part for a component to be mounted.

23. (Currently Amended): Method of inserting a function carrier into a metal or plastic plate ~~plate-like~~ component to form a component assembly, wherein the



~~functional element~~ function carrier includes a shaft, head parts and a rivet sleeve and wherein the rivet sleeve is movable in the axial direction of the shaft part along the shaft and wherein the ~~functional element~~ function carrier has a rounded concave fillet,

~~characterised in that~~ wherein

the head part ~~of the functional element~~ is passed through a hole formed in the ~~plate-like plate~~ component or is pressed into a recess formed in the plate component and the rivet sleeve is subsequently moved in the axial direction of the ~~functional element~~ function carrier onto the concave fillet and onto the head part of the ~~functional element~~ function carrier, whereby the tubular region of the rivet sleeve is deflected radially outwardly by the concave fillet into an anchoring position in which the free end of the tubular region projects radially beyond the head part of the ~~functional element~~ function carrier.

24. (Currently Amended): Method in accordance with claim 23,

~~characterised in that~~ wherein

the free end of the tubular region is pressed into the hole wall of the component by the deformation of the tubular region of the rivet sleeve and thus prevents the extraction of the function carrier out of the recess of the component receiving the head part of the ~~functional element~~ function carrier.

25. (Currently Amended): Method in accordance with claim 23,

~~characterised in that~~ wherein

through the deformation of the tubular region of the rivet sleeve, a groove is formed between the deformed tubular region and the ~~ring-like~~ ring region which receives the material of the marginal edge of the hole of the component.

26. (Currently Amended): Method in accordance with claim 25,

~~characterised in that~~ wherein

the ~~ring-like~~ ring region of the rivet sleeve is deformed into a ring groove formed in the shaft part directly ahead of the concave fillet.

27. (Currently Amended): Method in accordance with claim 23,

~~characterised in that~~ wherein

the rivet sleeve is moved in the axial direction towards the concave fillet while an axial force in the opposite direction is produced on the shaft part of the ~~functional element~~ function carrier.

28. (Currently Amended): Method in accordance with claim 23,  
~~characterised in that~~ wherein

the ~~ring-like~~ ring region of the rivet sleeve has an internal thread which is screwed onto an external thread provided on the shaft part of the ~~functional element~~ function carrier and the radial deformation of the tubular region of the rivet sleeve is produced by a relative rotation between the rivet sleeve and the ~~functional element~~ function carrier.

29. (Currently Amended): Method in accordance with claim 23,  
~~characterised in that~~ wherein

an auxiliary tool provided with a thrust bearing is used for the deformation of the rivet sleeve, with the thrust bearing having a lower ring, the end face of which remote from the rolling elements presses against the end face of the ~~ring-like~~ ring region of the rivet sleeve and the other ring of which is provided on a rotatable sleeve which has an internal thread which cooperates with an external thread provided on the shaft part of the ~~functional element~~ function carrier, with a relative rotation of the sleeve which cooperates with the outer thread of the shaft part of the ~~functional element~~ function carrier leading to an axial movement of the thrust bearing and of the rivet sleeve and through this to a deformation of the rivet sleeve at the concave fillet of the ~~functional element~~ function carrier.

30. (Currently Amended): Tool for the insertion of a function carrier into a ~~plate-like~~ plate component, wherein the ~~functional element~~ function carrier includes shaft and head parts and a rivet sleeve and wherein the rivet sleeve is movable in the axial direction of the shaft part along the shaft part,

~~characterised in that~~ wherein

the tool has two coaxial devices rotatable relative to one another, with the inner device being capable of being brought into a rotationally fixed connection with the shaft part of the ~~functional element~~ function carrier and the outer device being capable of being brought into rotationally fixed connection with the rivet sleeve or with an auxiliary

not make out a prima facie case of obviousness against present claim 14.  
Reconsideration and withdrawal of this rejection is respectfully requested.

Applicant urges that this application is now in condition for allowance and earnestly solicits early and favorable action by the Examiner. If the Examiner believes that issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned at 212-801-2146. The undersigned may also be contacted via e-mail at ecr@gtlaw.com.

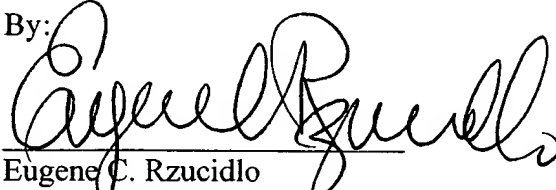
**AUTHORIZATION**

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-1561.

Respectfully Submitted,

Greenberg Traurig, LLP

By:

  
Eugene C. Rzucidlo  
Attorney for Applicants  
Registration No. 31,900

Date: \_\_\_\_\_

01/19/05

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**Applicant (s):** HUMPERT, R. et al.

**Serial No.:** 09/890,203

**Docket No.:** 64913.010100

**Attorney:** Eugene C. Rzucidlo

**Title: SUPPORT SYSTEM FOR A FUNCTIONAL UNIT**

*Receipt is hereby acknowledged by return of this postal card properly stamped by the US PTO for the above noted matter of the following:*

- 1) Request for Continued Examination (RCE) Form
- 2) Transmittal Form
- 3) Amendment
- 4) Request for Extension of Time
- 5) Express Mail Certificate
- 6) postcard receipt

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